

The assistant legislative clerk read as follows:

A bill (S. 459) to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 459) was read three times and passed, as follows:

S. 459

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Hometown Heroes Survivors Benefits Act of 2003".

#### SEC. 2. FATAL HEART ATTACK OR STROKE ON DUTY PRESUMED TO BE DEATH IN LINE OF DUTY FOR PURPOSES OF PUBLIC SAFETY OFFICER SURVIVOR BENEFITS.

Section 1201 of the Omnibus Crime Control and Safe Streets Act of 1986 (42 U.S.C. 3796) is amended by adding at the end of the following:

"(k) For purposes of this section, if a public safety officer dies as the direct and proximate result of a heart attack or stroke suffered while on duty, or not later than 24 hours after participating in a training exercise or responding to an emergency situation, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty."

#### SEC. 3. APPLICABILITY.

Section 1201(k) of the Omnibus Crime Control and Safe Streets Act of 1986, as added by section 2, shall apply to deaths occurring on or after January 1, 2003.

#### FALLEN LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS FLAG MEMORIAL ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 535 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 535) to provide Capitol-flown flags to the families of law enforcement officers and firefighters killed in the line of duty.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 683

Mr. FRIST. Mr. President, I understand Senator DODD has an amendment at the desk. I ask unanimous consent that the amendment be considered and agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 683) was agreed to, as follows:

AMENDMENT NO. 683

(Purpose: To provide for the delivery of flags through Congress)

On page 1, beginning with line 7, strike all through page 3, line 19, and insert the following:

#### SEC. 2. CAPITOL-FLOWN FLAGS FOR FAMILIES OF DECEASED LAW ENFORCEMENT OFFICERS AND DECEASED FIREFIGHTERS.

(a) DEFINITIONS.—In this Act:

(1) CAPITOL-FLOWN FLAG.—The term "Capitol-flown flag" means a United States flag flown over the United States Capitol and provided under this Act to honor the deceased law enforcement officer or firefighter for whom such flag is requested.

(2) DECEASED FIREFIGHTER.—The term "deceased firefighter" means a person who—

(A) performs firefighting duties on a paid or voluntary basis; and—

(B) dies in the line of duty as a firefighter.

(3) DECEASED LAW ENFORCEMENT OFFICER.—The term "deceased law enforcement officer" means a person who was charged with protecting public safety, who was authorized to make arrests by a Federal, State, Tribal, county, or local law enforcement agency, and who died while acting in the line of duty.

(4) MEMBER OF CONGRESS.—The term "Member of Congress" means a Senator, a Representative in Congress, or a Delegate to Congress.

(b) MEMBER OFFICES.—

(1) IN GENERAL.—The family of a deceased law enforcement officer or a deceased firefighter may request that a Member of Congress provide to that family a Capitol-flown flag.

(2) EXPENSE.—The costs associated with providing a flag under this subsection may be paid from official funds.

(c) APPLICABILITY.—This Act shall only apply to a deceased law enforcement officer or a deceased firefighter who died on or after the date of enactment of this Act.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill, as amended, be read a third time and passed; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 535), as amended, was read the third time and passed, as follows:

S. 535

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fallen Law Enforcement Officers and Firefighters Flag Memorial Act of 2003".

#### SEC. 2. CAPITOL-FLOWN FLAGS FOR FAMILIES OF DECEASED LAW ENFORCEMENT OFFICERS AND DECEASED FIREFIGHTERS.

(a) DEFINITIONS.—In this Act:

(1) CAPITOL-FLOWN FLAG.—The term "Capitol-flown flag" means a United States flag flown over the United States Capitol and provided under this Act to honor the deceased law enforcement officer or firefighter for whom such flag is requested.

(2) DECEASED FIREFIGHTER.—The term "deceased firefighter" means a person who—

(A) performs firefighting duties on a paid or voluntary basis; and

(B) dies in the line of duty as a firefighter.

(3) DECEASED LAW ENFORCEMENT OFFICER.—The term "deceased law enforcement officer" means a person who was charged with protecting public safety, who was authorized to make arrests by a Federal, State, Tribal, county, or local law enforcement agency, and who died while acting in the line of duty.

(4) MEMBER OF CONGRESS.—The term "Member of Congress" means a Senator, a Representative in Congress, or a Delegate to Congress.

(b) MEMBER OFFICES.—

(1) IN GENERAL.—The family of a deceased law enforcement officer or a deceased firefighter may request that a Member of Congress provide to that family a Capitol-flown flag.

(2) EXPENSE.—The costs associated with providing a flag under this subsection may be paid from official funds.

(c) APPLICABILITY.—This Act shall only apply to a deceased law enforcement officer or a deceased firefighter who died on or after the date of enactment of this Act.

#### HONORING THE CITY OF FAYETTEVILLE, NC, AND ITS MANY PARTNERS FOR THE FESTIVAL OF FLIGHT

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H. Con. Res. 58 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 58) honoring the City of Fayetteville, North Carolina, and its many partners for the Festival of Flight, a celebration of the centennial of Wilbur and Orville Wright's first flight, the first controlled, powered flight in history.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution and preamble be agreed to, en bloc; that the motion to reconsider be laid upon the table, en bloc; and that any statements relating to the concurrent resolution be printed in the RECORD, without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 58) was agreed to.

The preamble was agreed to.

#### USE OF CAPITOL GROUNDS FOR DC SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 128, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows: